

By Ashton McRae, Guest Commentary

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Mr. Sellars should have looked farther than the title of the resolution and actually made some effort to understand it before writing his letter to the editor (EDITOR'S NOTE: "Bishop's vote helps cut ethics oversight," In My View letter by Jason Sellars of Cairo, July 8).

H. Res. 1416 seeks to amend and improve upon the existing House rules regarding when the Office of Congressional Ethics (OCE) may make available to the public investigation reports. It does not seek to weaken the high standards of ethics required of Members of Congress. As a technical note, I would like to point out that the bill in question is H. Res. 1416 and not HR 1416, as Mr. Sellars refers to it in his letter. I mention this not to discredit Mr. Sellars, but merely to prevent any confusion should your readers wish to research this bill in order to glean for themselves the meritorious objectives it aims to accomplish.

Additionally, let me quickly dispense with Mr. Sellars' groundless claim that Congressman Bishop's cosponsorship of H. Res. 1416 was somehow motivated by past investigations of Congressional Black Caucus Members. When we lay speculation aside and focus squarely on the bill's substance, it is more than apparent that H. Res. 1416 seeks only to protect members of Congress from vindictive or retributive investigations and safeguard the Office of Congressional Ethics from persons or entities who endeavor to abuse its processes for their own improper ends. Thus, it should come as no surprise that 20 members of Congress have signed on to this resolution, which is currently still in committee. No doubt, many more will have endorsed it by the time it reaches the House floor.

Let me make it clear at the outset that Congressman Bishop is very much in favor of and supports high ethical standards and oversight. He supported and voted for the legislation establishing the office of Congressional Ethics in the 110th Congress. However, having seen how the legislation has been implemented over the past couple of years, there is growing concern that the procedures utilized lend themselves to unfair treatment of members of Congress unfairly accused of wrongful conduct. That said, let me explain the congressman's support of the legislation by discussing the need to improve the operation of the OCE.

Since its inception, the OCE has prematurely allowed release of reports and findings, resulting in members of Congress being tried in the court of public opinion and convicted by the media before allegations of misconduct were proven or found to be without merit. In an effort to correct this problem, H. Res. 1416 was introduced to ensure that unless there are findings of wrongdoing, there will be no release of information. Specifically, the bill would prohibit premature publication of OCE reports and findings that detail allegations; improve OCE's fact gathering process by ensuring that allegations originate from credible sources "with direct knowledge" of the conduct described; add fairness to the review process by clearly defining the standard of proof required for all phases of the review; and maintain public access to OCE findings and reports until after the Committee on Standards (Ethics Committee) has completed its investigation and misconduct is found.

It is a fact that the mere commencement of an OCE investigation harms the reputation. To suggest otherwise is absurd. Where allegations are unfounded, they should not be publicized. To do otherwise would militate against the very reform that Mr. Sellars desires. Without H. Res. 1416, groundless attacks on members of Congress have been launched only to be found without merit after the Members have suffered in the media and incurred great expenses, including attorney fees, to respond against the allegations.

A congressperson's opponents should not be permitted to use the OCE at their whim as a mere tool to malign. H. Res. 1416 only assures a fair process in upholding the high standards to which all public officials should be held.

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